

SCN123666 DA DAE39402

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 02-06-04 AT 08:30 M.

01103432

OTHER MOTION HG

PRESENT: HON. K. MICHAEL KIRKMAN

JUDGE PRESIDING DEPARTMENT 001

CLERK JEANNE SHELTON

REPORTER B. Parnan CSR# 4348

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

Maria Alvarado DEPUTY DISTRICT ATTORNEY

HODGES STEVE P

R - R. DUQUETTE

DEFENDANT

ATTORNEY FOR DEFENDANT (APPTD/RETAINED)

VIOLATION OF PC459 17(1)(3)

INTERPRETER SWORN/CERT LANGUAGE

DEFENDANT [X] PRESENT [] NOT PRESENT. TRIAL DATE REMAINS AS SET/CONFIRMED/VACATED.

[] COUNSEL & DEFENDANT STIPULATE TO PRELIMINARY /GRAND JURY TRANSCRIPT AS FACTUAL BASIS FOR PC 995/PC 1538.5 MOTION.

[] DEFENDANT'S MOTION TO DISMISS PURSUANT TO PC 995 IS [] GRANTED [] DENIED [] TAKEN UNDER SUBMISSION.

L [] GRANTED AS TO: [] DENIED AS TO:

A [] DEFENDANT'S MOTION TO SUPPRESS EVIDENCE PER PC 1538.5 IS [] GRANTED [] DENIED [] TAKEN UNDER SUBMISSION.

W [] GRANTED AS TO: Defendant received degree in Accounting from Cal State San Marcos on 1-5-04 [] DENIED AS TO:

& [] PEOPLE'S/DEFENDANT'S MOTION FOR DISCOVERY IS [] GRANTED [] DENIED [] TAKEN UNDER SUBMISSION. [] GRANTED AS TO:

M [] DENIED AS TO:

T [X] OTHER MOTION(S): Terminate Probation - granted PC 1203.4 relief - granted

Table with columns: WITNESSES SWORN & EXAMINED, PEO. DEFT., NO., EXHIBIT DESCRIPTION, MRKD, RCVD. Rows are empty.

CUSTODY [] DEFENDANT REMANDED TO CUSTODY OF SHERIFF [] WITHOUT BAIL [] WITH BAIL SET AT \$ [] DEFENDANT ORDERED RELEASED FROM CUSTODY [] ON OWN/SUPERVISED RECOGNIZANCE [] CASE DISMISSED [] THIS CASE ONLY. [] DEFENDANT TO REMAIN AT LIBERTY [] ON BOND POSTED \$ [] ON OWN/SUPERVISED RECOGNIZANCE. [] BAIL IS SET AT/REDUCED TO/INCREASED TO \$

FH [] DEFENDANT WAIVES STATUTORY TIME FOR TRIAL. CONTINUED TO/SET FOR AT IN DEPT. ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON:

WB [] BENCH WARRANT TO ISSUE, BAIL SET AT \$ [] SERVICE FORTHWITH. [] ORDERED WITHHELD TO [] BENCH WARRANT ISSUED/ORDERED IS RECALLED/RESCINDED. [] BOND IS [] EXONERATED [] FORFEITED. AMOUNT \$ BOND NO. BOND COMPANY AGENT

OTHER: fee paid - order signed + filed vacate 2-20-04 K. Michael Kirkman 16 JUDGE OF THE SUPERIOR COURT

CN 123666-2

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 12-15-03 AT M.

PRESENT: HON M Hockett

JUDGE PRESIDING DEPARTMENT 3

CLERK J Callahan REPORTER

CSR#

REPORTER'S ADDRESS: P.O. BOX 120728, SAN DIEGO, CA 92112-0128

THE PEOPLE OF THE STATE OF CALIFORNIA

Hodges Steve VS. DEFENDANT

Deva Selik DEPUTY DISTRICT ATTORNEY

VIOLATION OF PC 4591763

ATTORNEY FOR DEFENDANT (PD/APD/PCC/RETAINED)

INTERPRETER OATH ON FILE/SWORN LANGUAGE

DEFENDANT w/o counsel PRESENT NOT PRESENT NOT PRODUCED

PREV DEFENDANT ADVISED OF RIGHTS AND ADMITS/DENIES A VIOLATION OF PROBATION WAIVES HEARING. PROBATION IS: FORMALY/SUMMARILY REVOKED REINSTATED MODIFIED CONTINUED STGC EXTENDED TO 4-10-04

- WAIVES ARRAIGNMENT. ARRAIGNED FOR JUDGMENT. IMPOSITION/EXECUTION OF SENTENCE IS SUSPENDED. PROBATION IS: DENIED GRANTED YEARS (FORMAL/SUMMARY) TO EXPIRE. COMMITMENT TO SHERIFF FOR DAYS. STAYED TO: ADULT INST. RECOMMENDED. PAROLE NOT TO BE GRANTED. PERFORM HRS/DAYS PSP/VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION/COURT BY. FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS. SHORT TERM WORK FURLOUGH, REPORT: FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. VEHICLE INTERLOCK DEVICE (VC 13386/23575). DEFENDANT IS COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY PER WI 1737. DEFENDANT IS COMMITTED TO THE DEPARTMENT OF CORRECTIONS PER PC 1170(d). FOR LOWER/MIDDLE/UPPER TERM OF YEARS/MONTHS/TO LIFE ON COUNT CODE & NO. PRINCIPAL COUNT. CIRCUMSTANCES IN MITIGATION/AGGRAVATION OUTWEIGH THOSE IN MITIGATION/AGGRAVATION. NO VISITATION, PER PC 1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES. DEFENDANT IS ADVISED REGARDING PAROLE/APPEAL RIGHTS. REGISTRATION PER PC 290/HS 11590/PC 457.1/PC 186.30 TESTING PER PC 1202.1/PC 296. FINE OF \$ PLUS PENALTY ASSESSMENT. RESTITUTION FINE OF \$ PER PC 1202.4(b). FORTHWITH PER PC 2085.5. RESTITUTION FINE OF \$ PER PC 1202.45 SUSPENDED UNLESS PAROLE IS REVOKED. RESTITUTION TO VICTIM(S) PER P.O.'S REPORT/REST. FUND PER PC 1202.4(f) OF \$ /IN AN AMOUNT TO BE DETERMINED. AT \$ PER MONTH. COMBINED RATE. TO START 60 DAYS AFTER RELEASE/ON THROUGH REVENUE AND RECOVERY. DEFENDANT TO PAY PRE-PLEA INVESTIGATION AND REPORT PREPARATION COSTS. DEFENDANT TO PAY BOOKING FEES. REFERRED TO REVENUE AND RECOVERY. COURT APPOINTED ATTORNEY FEES ORDERED IN THE AMOUNT OF \$.

CREDIT FOR TIME SERVED table with rows for DAYS LOCAL, DAYS STATE INST., DAYS PC 4019/2933.1, TOTAL DAYS CREDIT

C S U T A T DEFENDANT REMANDED TO CUSTODY OF SHERIFF. WITHOUT BAIL. WITH BAIL SET AT \$. DEFENDANT ORDERED RELEASED FROM CUSTODY. ON PROBATION. ON OWN/SUPERVISED RECOGNIZANCE. ON DEJ. THIS CASE ONLY. DEFENDANT TO REMAIN AT LIBERTY. ON BOND POSTED \$ ON PROBATION. ON DEJ. ON OWN/SUPERVISED RECOGNIZANCE.

H F R U G T S DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT. DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION. PER PC 1203.03. PER WI 707.2. CONTINUED TO/SET FOR AT M. IN DEPT. ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON:

W B R O R N D T S S BENCH WARRANT TO ISSUE, BAIL SET AT \$. SERVICE FORTHWITH. ORDERED WITHHELD TO. BENCH WARRANT ISSUED/ORDERED IS RECALLED/RESCINDED. BAIL IS EXONERATED. FORFEITED. AMOUNT \$ BOND NO. BOND COMPANY AGENT

M H PROCEEDINGS SUSPENDED PER PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.) PER WI 3051, ADDICTION OR DANGER OF ADDICTION. (SEE BELOW FOR SERVICE DATE OF PETITION AND ORDER.)

O T H E R SUPPLEMENTAL REPORT ORDERED. REPORT TO REGISTRAR OF VOTERS. DMV ABSTRACT. B.A.C. PROBATION TO SUBMIT POST-SENTENCE REPORT DIRECTLY TO THE D.O.C. PER PC 1203c.

Handwritten notes: Dept request early termination of probation - People opposed and the people request formal motion to be heard but denied request for early termination. Dept will return to this counsel to explain what people... M. Y. Hockett JUDGE OF THE SUPERIOR COURT

SD 123666-2 DA DAE 39402

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

Mtn Reduce to Mnd / Terminate Prob
PC 1203.4

DATE 3-21-03 AT 1:30 M.

PRESENT: HON K Michael Kirkman

JUDGE PRESIDING DEPARTMENT 1

CLERK J. Shelton

REPORTER B. Darnan

CSR# 4348

REPORTER'S ADDRESS: P.O. BOX 128, SAN DIEGO, CA 92112-4104

THE PEOPLE OF THE STATE OF CALIFORNIA

VS. Hodges, Steve P
DEFENDANT

Laura Tanney
DEPUTY DISTRICT ATTORNEY

Richard Dugrette
ATTORNEY FOR DEFENDANT (APPT'D/RETAINED)

VIOLATION OF § 1203.4

INTERPRETER _____ SWORN/CERT
LANGUAGE _____

DEFENDANT PRESENT NOT PRESENT. TRIAL DATE _____ REMAINS AS SET/CONFIRMED/VACATED.
 COUNSEL & DEFENDANT STIPULATE TO PRELIMINARY /GRAND JURY TRANSCRIPT AS FACTUAL BASIS FOR PC 995/PC 1538.5 MOTION.
 DEFENDANT'S MOTION TO DISMISS PURSUANT TO PC 995 IS GRANTED DENIED TAKEN UNDER SUBMISSION.

L GRANTED AS TO: _____
A DENIED AS TO: _____

W DEFENDANT'S MOTION TO SUPPRESS EVIDENCE PER PC 1538.5 IS GRANTED DENIED TAKEN UNDER SUBMISSION.

& GRANTED AS TO: _____
 PEOPLE'S/DEFENDANT'S MOTION FOR DISCOVERY IS GRANTED DENIED TAKEN UNDER SUBMISSION.

M GRANTED AS TO: _____

O DENIED AS TO: _____

T OTHER MOTION(S) Motion to Reduce to Mnd - Granted (per PC 17(b)(3))
Motion to Terminate Probation - Deny

WITNESSES SWORN & EXAMINED:	PEO.	DEFT.	NO.	EXHIBIT DESCRIPTION	MRKD	RCVD
<u>PC 1203.4 relief - Deny</u>	[]	[]	_____	_____	[]	[]
_____	[]	[]	_____	_____	[]	[]
_____	[]	[]	_____	_____	[]	[]
_____	[]	[]	_____	_____	[]	[]
_____	[]	[]	_____	_____	[]	[]
_____	[]	[]	_____	_____	[]	[]

CUSTODY DEFENDANT REMANDED TO CUSTODY OF SHERIFF WITHOUT BAIL WITH BAIL SET AT \$ _____
 DEFENDANT ORDERED RELEASED FROM CUSTODY ON OWN/SUPERVISED RECOGNIZANCE CASE DISMISSED THIS CASE ONLY.
 DEFENDANT TO REMAIN AT LIBERTY ON BOND POSTED \$ probation ON OWN/SUPERVISED RECOGNIZANCE
 BAIL IS SET AT/REDUCED TO/INCREASED TO \$ _____

FH DEFENDANT WAIVES STATUTORY TIME FOR TRIAL.
UR _____ CONTINUED TO/SET FOR _____ AT _____ IN DEPT. _____
TG ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON: _____

W BENCH WARRANT TO ISSUE, BAIL SET AT \$ _____ SERVICE FORTHWITH. ORDERED WITHHELD TO _____
B BENCH WARRANT ISSUED/ORDERED _____ IS RECALLED/RESCINDED.
R BOND IS EXONERATED FORFEITED. AMOUNT \$ _____ BOND NO. _____
N BOND COMPANY _____ AGENT _____

OTHER: Formal Probation Reverts to Summary Probation Forthwith.

K Michael Kirkman
JUDGE OF THE SUPERIOR COURT

SCN123666 DA

DAE3940Z

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 05-08-01 AT 08:30M.

01103432

RESTITUTION HRG

PRESENT: HON Timothy M. Cassel

JUDGE PRESIDING DEPARTMENT 006

CLERK J. Sheehan

REPORTER J. Young

CSR# 3301

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

Kate Flaherty DEPUTY DISTRICT ATTORNEY

HODGES STEVE P

R - J. DICKS by Wm. W. W. Attorney for Defendant (PD/APD/PCC/RETAINED)

DEFENDANT

VIOLATION OF 57 PC 459

INTERPRETER OATH ON FILE/SWORN LANGUAGE

DEFENDANT PRESENT NOT PRESENT

PREV DEFENDANT ADVISED OF RIGHTS AND ADMITS/DENIES A VIOLATION OF PROBATION WAIVES HEARING PROBATION IS: FORMALLY/SUMMARILY REVOKED REINSTATED MODIFIED CONTINUED ST&C EXTENDED TO:

WAIVES ARRAIGNMENT. ARRAIGNED FOR JUDGMENT. IMPOSITION/EXECUTION OF SENTENCE IS SUSPENDED. PROBATION IS: DENIED GRANTED YEARS (FORMAL/SUMMARY) TO EXPIRE COMMITMENT TO SHERIFF FOR DAYS. STAYED TO: ADULT INST. RECOMMENDED. PAROLE NOT TO BE GRANTED. PERFORM HRS/DAYS PSP/VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION/COURT BY FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS SHORT TERM WORK FURLOUGH, REPORT. FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. VEHICLE INTERLOCK DEVICE (VC 13386/23575). DEFENDANT IS COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY PER WI 1737 DEFENDANT IS COMMITTED TO THE DEPARTMENT OF CORRECTIONS PER PC 1170(d). FOR LOWER/MIDDLE/UPPER TERM OF YEARS/MONTHS/TO LIFE ON COUNT CODE & NO. PRINCIPAL COUNT. CIRCUMSTANCES IN MITIGATION/AGGRAVATION OUTWEIGH THOSE IN MITIGATION/AGGRAVATION. NO VISITATION, PER PC 1202.05. VICTIM IS UNDER 18 YRS OF AGE. DA TO COMPLY WITH NOTICES. DEFENDANT IS ADVISED REGARDING PAROLE/APPEAL RIGHTS. REGISTRATION PER PC 290/HS 11590/PC 457.1 TESTING PER PC 1202.1/PC 296. FINE OF \$ PLUS PENALTY ASSESSMENT. RESTITUTION FINE OF \$ PER PC 1202.4(b). FORTHWITH PER PC 2085.5. RESTITUTION FINE OF \$ PER PC 1202.45 SUSPENDED UNLESS PAROLE IS REVOKED. RESTITUTION TO VICTIM(S) PER P.O.'S REPORT/REST FUND PER PC 1202.4(f) OF \$ 4589.23 IN AN AMOUNT TO BE DETERMINED. AT \$ PER MONTH. COMBINED RATE. TO START 60 DAYS AFTER RELEASE/ON THROUGH REVENUE AND RECOVERY DEFENDANT TO PAY PRE-PLEA INVESTIGATION AND REPORT PREPARATION COSTS. DEFENDANT TO PAY BOOKING FEES. REFERRED TO REVENUE AND RECOVERY. COURT APPOINTED ATTORNEY FEES ORDERED IN THE AMOUNT OF \$

Table with 2 columns: CREDIT FOR TIME SERVED, DAYS LOCAL, DAYS STATE INST, DAYS PC 4019/2933 1, TOTAL DAYS CREDIT

Restitution is set, amount below

C S DEFENDANT REMANDED TO CUSTODY OF SHERIFF. WITHOUT BAIL. WITH BAIL SET AT \$ DEFENDANT ORDERED RELEASED FROM CUSTODY. ON PROBATION. ON OWN/SUPERVISED RECOGNIZANCE. THIS CASE ONLY. DEFENDANT TO REMAIN AT LIBERTY. ON BOND POSTED \$ ON PROBATION. ON OWN/SUPERVISED RECOGNIZANCE.

H FRUGTS DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT. DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION. PER PC 1203.03. PER WI 707.2. CONTINUED TO/SET FOR AT M. IN DEPT. ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER REASON.

B W B R O R N D T S S BENCH WARRANT TO ISSUE, BAIL SET AT \$ SERVICE FORTHWITH. ORDERED WITHHELD TO BENCH WARRANT ISSUED/ORDERED IS RECALLED/RESCINDED. BAIL IS EXONERATED. FORFEITED. AMOUNT \$ BOND NO. BOND COMPANY AGENT

M H PROCEEDINGS SUSPENDED PER PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING) PER WI 3051, ADDICTION OR DANGER OF ADDICTION. (SEE BELOW FOR SERVICE DATE OF PETITION AND ORDER.)

O T H E R SUPPLEMENTAL REPORT ORDERED. REPORT TO REGISTRAR OF VOTERS. DMV ABSTRACT. B.A.C. PROBATION TO SUBMIT POST-SENTENCE REPORT DIRECTLY TO THE D.O.C. PER PC 1203c.

Defendant is to be released from work furlough to attend sister's wedding + rehearsal. Release at 3:00 pm on 6-22-01, return 10:00 pm on 6-22-01. Release at 10:00 am on 6-24-01, return at 11:00 pm on 6-24-01

Timothy M. Cassel

CN123666-2 DA OAE39402

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

EX-Parte

DATE 4-12-01 AT M.

PRESENT: HON K. Michael Kirkman

JUDGE PRESIDING DEPARTMENT 6

CLERK P. Juas

REPORTER NONE

CSR#

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128

THE PEOPLE OF THE STATE OF CALIFORNIA

Hodges Steve P. VS. DEFENDANT

NONE

DEPUTY DISTRICT ATTORNEY

NONE

ATTORNEY FOR DEFENDANT (PD/APD/PCC/RETAINED)

VIOLATION OF 5) PC 459

INTERPRETER OATH ON FILE/SWORN LANGUAGE

DEFENDANT [] PRESENT [X] NOT PRESENT.

PREV [] DEFENDANT ADVISED OF RIGHTS AND ADMITS/DENIES A VIOLATION OF PROBATION [] WAIVES HEARING. PROBATION IS: FORMALLY/SUMMARILY [] REVOKED [] REINSTATED [X] MODIFIED [X] CONTINUED [X] ST&C [X] EXTENDED TO: 4-10-01

- [] WAIVES ARRAIGNMENT. [] ARRAIGNED FOR JUDGMENT. [] IMPOSITION/EXECUTION OF SENTENCE IS SUSPENDED. [] PROBATION IS: [] DENIED [] GRANTED YEARS (FORMAL/SUMMARY) TO EXPIRE. [X] COMMITMENT TO SHERIFF FOR 120 DAYS. STAYED TO: [] ADULT INST. RECOMMENDED. [] PAROLE NOT TO BE GRANTED. [] PERFORM HRS/DAYS PSP/VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION/COURT BY. [] FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS. [] SHORT TERM WORK FURLOUGH, REPORT: [] FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. [] VEHICLE INTERLOCK DEVICE (VC 23235/23246). [] DEFENDANT IS COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY [] PER WI 1737 [] DEFENDANT IS COMMITTED TO THE DEPARTMENT OF CORRECTIONS [] PER PC 1170(d). [] FOR LOWER/MIDDLE/UPPER TERM OF YEARS/MONTHS/TO LIFE ON COUNT CODE & NO. [] PRINCIPAL COUNT. [] CIRCUMSTANCES IN MITIGATION/AGGRAVATION OUTWEIGH THOSE IN MITIGATION/AGGRAVATION. [] NO VISITATION, PER PC 1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES. [] DEFENDANT IS ADVISED REGARDING PAROLE/APPEAL RIGHTS. [] REGISTRATION PER PC 290/HS 11590/PC 457.1. [] TESTING PER PC 1202.1/PC 296. [] FINE OF \$ PLUS PENALTY ASSESSMENT. [] RESTITUTION FINE OF \$ PER PC 1202.4(b). [] FORTHWITH PER PC 2085.5. [] RESTITUTION FINE OF \$ PER PC 1202.45 SUSPENDED UNLESS PAROLE IS REVOKED. [] RESTITUTION TO VICTIM(S) PER P.O.'S REPORT/REST. FUND PER PC 1202.4(f) OF \$ /IN AN AMOUNT TO BE DETERMINED. [] AT \$ PER MONTH. [] COMBINED RATE. TO START 60 DAYS AFTER RELEASE/ON THROUGH REVENUE AND RECOVERY. [] DEFENDANT TO PAY PRE-PLEA INVESTIGATION AND REPORT PREPARATION COSTS. [] DEFENDANT TO PAY BOOKING FEES. [] REFERRED TO REVENUE AND RECOVERY. [] COURT APPOINTED ATTORNEY FEES ORDERED IN THE AMOUNT OF \$

CREDIT FOR TIME SERVED table with 4 rows: 4 DAYS LOCAL, 0 DAYS STATE INST., 2 DAYS PC 4019/2933.1, 6 TOTAL DAYS CREDIT

C S [] DEFENDANT REMANDED TO CUSTODY OF SHERIFF. [] WITHOUT BAIL. [] WITH BAIL SET AT \$ [] DEFENDANT ORDERED RELEASED FROM CUSTODY. [] ON PROBATION. [] ON OWN/SUPERVISED RECOGNIZANCE. [] THIS CASE ONLY. [X] DEFENDANT TO REMAIN AT LIBERTY. [] ON BOND POSTED \$ [] ON PROBATION. [] ON OWN/SUPERVISED RECOGNIZANCE.

H F R U G T S [] DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT. [] DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION. [] PER PC 1203.03. [] PER WI 707.2. CONTINUED TO/SET FOR AT M. IN DEPT. ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON:

B W B O R N D T S S [] BENCH WARRANT TO ISSUE, BAIL SET AT \$ [] SERVICE FORTHWITH. [] ORDERED WITHHELD TO [] BENCH WARRANT ISSUED/ORDERED IS RECALLED/RESCINDED. [] BAIL IS [] EXONERATED. [] FORFEITED. AMOUNT \$ BOND NO. BOND COMPANY AGENT

M H [] PROCEEDINGS SUSPENDED [] PER PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.) [] PER WI 3051, ADDICTION OR DANGER OF ADDICTION. (SEE BELOW FOR SERVICE DATE OF PETITION AND ORDER.)

O T H E R [] SUPPLEMENTAL REPORT ORDERED. [] REPORT TO REGISTRAR OF VOTERS. [] DMV ABSTRACT. B.A.C. -Def't to report to work furlough on 5-2-01 8:00am. Work furlough 551 S. 35th St San Diego, 92113.

All other terms remain as imposed 4-11-01

copy to PO / Atty / P copy to W.F.

K. Michael Kirkman JUDGE OF THE SUPERIOR COURT

copy mailed to Def't / P

SCN123666-2A OAE39402

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

DATE 04-11-01 AT 01:30 M.

01103432

PROB HEAR-SENTENCING

PRESENT: HON K. Michael Kirkman

JUDGE PRESIDING DEPARTMENT 006

CLERK P. Jiras

REPORTER Lisa Meyers

CSR# 11771

REPORTER'S ADDRESS: P.O. BOX 120128, SAN DIEGO, CA 92112-0128

THE PEOPLE OF THE STATE OF CALIFORNIA VS.

Laurie Martin
DEPUTY DISTRICT ATTORNEY

HODGES STEVE
DEFENDANT

P

R - J. DICKS

ATTORNEY FOR DEFENDANT (PD/APD/PCC/RETAINED)

VIOLATION OF 5 PC459

P.O. Jane Harrison

INTERPRETER _____ OATH ON FILE/SWORN
LANGUAGE _____

DEFENDANT PRESENT NOT PRESENT.

DEFENDANT ADVISED OF RIGHTS AND ADMITS/DENIES A VIOLATION OF PROBATION WAIVES HEARING.
PROBATION IS: FORMALLY/SUMMARILY REVOKED REINSTATED MODIFIED CONTINUED ST&C EXTENDED TO: _____

WAIVES ARRAIGNMENT. ARRAIGNED FOR JUDGMENT. IMPOSITION/EXECUTION OF SENTENCE IS SUSPENDED.

PROBATION IS: DENIED GRANTED 3 YEARS (FORMAL/SUMMARY) TO EXPIRE 4-10-04.

COMMITMENT TO SHERIFF FOR 120 DAYS. STAYED TO: _____ ADULT INST. RECOMMENDED. PAROLE NOT TO BE GRANTED

PERFORM _____ HRS/DAYS PSP/VOL. WORK AT NONPROFIT ORG. SUBMIT PROOF TO PROBATION/COURT BY _____

FOURTH AMENDMENT WAIVER OF PERSON/AUTO/RESIDENCE/PERSONAL EFFECTS. SHORT TERM WORK FURLOUGH, REPORT: _____

FURTHER CONDITIONS ARE SET FORTH IN PROBATION ORDER. VEHICLE INTERLOCK DEVICE (VC 13386/23575).

DEFENDANT IS COMMITTED TO THE CALIFORNIA YOUTH AUTHORITY PER WI 1737

DEFENDANT IS COMMITTED TO THE DEPARTMENT OF CORRECTIONS PER PC 1170(d).

FOR _____ LOWER/MIDDLE/UPPER TERM OF _____ YEARS/MONTHS/TO LIFE

ON COUNT _____ CODE & NO. _____ PRINCIPAL COUNT.

CIRCUMSTANCES IN MITIGATION/AGGRAVATION OUTWEIGH THOSE IN MITIGATION/AGGRAVATION.

NO VISITATION, PER PC 1202.05. VICTIM IS UNDER 18 YRS. OF AGE. DA TO COMPLY WITH NOTICES.

DEFENDANT IS ADVISED REGARDING PAROLE/APPEAL RIGHTS. REGISTRATION PER PC 290/HS 11590/PC 457.1. TESTING PER PC 1202.1/PC 296.

FINE OF \$ 300 PLUS PENALTY ASSESSMENT \$10.00 to OPD per PC 1202.5

RESTITUTION FINE OF \$ 300 PER PC 1202.4(b). FORTHWITH PER PC 2085.5.

RESTITUTION FINE OF \$ _____ PER PC 1202.45 SUSPENDED UNLESS PAROLE IS REVOKED. Deft to pay \$2500 forthwith

RESTITUTION TO VICTIM(S) PER P.O.'S REPORT/REST. FUND PER PC 1202.4(i) OF \$ 4589.23 IN AN AMOUNT TO BE DETERMINED by P.O. & DA

AT \$ 150 PER MONTH. COMBINED RATE. TO START 60 DAYS AFTER RELEASE (ON) THROUGH REVENUE AND RECOVERY

DEFENDANT TO PAY PRE-PLEA INVESTIGATION AND REPORT PREPARATION COSTS. DEFENDANT TO PAY BOOKING FEES.

REFERRED TO REVENUE AND RECOVERY. COURT APPOINTED ATTORNEY FEES ORDERED IN THE AMOUNT OF \$ _____

DEFENDANT REMANDED TO CUSTODY OF SHERIFF WITHOUT BAIL. WITH BAIL SET AT \$ _____

DEFENDANT ORDERED RELEASED FROM CUSTODY. ON PROBATION. ON OWN/SUPERVISED RECOGNIZANCE THIS CASE ONLY.

DEFENDANT TO REMAIN AT LIBERTY. ON BOND POSTED \$ _____ ON PROBATION. ON OWN/SUPERVISED RECOGNIZANCE

DEFENDANT WAIVES STATUTORY TIME FOR PRONOUNCEMENT OF JUDGMENT.

DEFENDANT REFERRED FOR DIAGNOSTIC EVALUATION. PER PC 1203.03. PER WI 707.2.

F.P. Re: Restitution CONTINUED TO/SET FOR 4-30-01 AT 8:30A M. IN DEPT. 6 ON MOTION OF COURT/DDA/DEFENDANT/PROBATION OFFICER. REASON: _____

BENCH WARRANT TO ISSUE. BAIL SET AT \$ _____ SERVICE FORTHWITH. ORDERED WITHHELD TO _____

BENCH WARRANT ISSUED/ORDERED _____ IS RECALLED/RESCINDED.

BAIL IS EXONERATED. FORFEITED. AMOUNT \$ 25,000 BOND NO. R25-11369395

BOND COMPANY Ranger Ins AGENT Vista Bail Bonds

PROCEEDINGS SUSPENDED PER PC 1368, MENTAL COMPETENCY. (SEE BELOW FOR DATES OF EXAMINATION AND HEARING.)

PER WI 3051, ADDICTION OR DANGER OF ADDICTION (SEE BELOW FOR SERVICE DATE OF PETITION AND ORDER.)

SUPPLEMENTAL REPORT ORDERED. REPORT TO REGISTRAR OF VOTERS. DMV ABSTRACT. B.A.C. _____

PROBATION TO SUBMIT POST-SENTENCE REPORT DIRECTLY TO THE D.O.C. PER PC 1203c.

Report to P.O. and Revenue & Recovery forthwith
- Deft allowed to serve custody through Probation -
work furlough. Deft to report to work furlough as
directed by P.O.

K. Michael Kirkman
JUDGE OF THE SUPERIOR COURT

Copy to PO & Deft

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101-3814 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92083-6695 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649		FOR COURT USE ONLY 2004 FEB 11 AM 9:18
PEOPLE OF THE STATE OF CALIFORNIA VS <i>Steve P. Hodges</i>	PLAINTIFF, DEFENDANT	CRIMINAL CASE NUMBER <i>SCN 123 666 - 2</i>
PC 1203.4 & PC 1203.4a MISDEMEANOR WORKUP CHECKLIST		DA

Date Needed By 2-6-04

TO BE COMPLETED BY CRIMINAL DEPARTMENT STAFF:

NAME _____ CASE NO SCN 123 666 - 2 DOB 4-12-81 SEX _____
 CII NUMBER _____ DRIVER'S LICENSE NUMBER _____
 CHARGE(S): PC 459

- NOTE: VC 42001(b) (Failure to submit to inspection of equipment/unsafe condition)
 PC 261.5 (Felony sexual intercourse with person under 18)
 PC 286(c) (Sodomy with minor under 14)
 PC 288 (Lewd or lascivious act minor under 14)
 PC 288a(c) (Oral copulation with minor under 14)
 PC 288.5 (Continuous sexual abuse of a child)
 PC 289(j) (Sexual intercourse with minor under 14 years old)
 Any infraction violation

PROOF OF SERVICE IN FILE SHOWS THAT PETITION MAILED TO PROSECUTING ATTORNEY MORE THAN 20 DAYS BEFORE SUBMITTED TO JUDGE.

PROSECUTION RESPONSE RECEIVED BY COURT: Yes No

IS/DEFT NOW IN FULL COMPLIANCE WITH CONDITIONS?

YES NO

EXPLANATION: _____
 Completed by: [Signature] Date: 1-15-04

TO BE COMPLETED BY PRETRIAL SERVICES STAFF:

PROBATION GRANTED ON: 01-11-01 for 1yr 2yr 3yr 4yr 5yr

DURING TERM OF PROBATION, RECORD INDICATES:

CLEAR RECORD
 OR
 DEFT WAS CONVICTED OF MSD/FEL

CASE # _____ SENTENCE MO/YR _____

AT TIME OF 1203.4 PETITION, RECORD INDICATES:

CLEAR RECORD
 OR
 DEFT ARRESTED ON MSD/FEL W/IN LAST 12 MONTHS _____
 OUTSTANDING WARRANT _____
 DEFT NOW ON PROBATION FOR ANOTHER OFFENSE _____
 DEFT NOW IN JAIL/PRISON FOR ANOTHER OFFENSE _____

Completed by: H. Kant - PTS Date: 02-05-04

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address) RICHARD L. DUQUETTE SBN 108342 P.O. BOX 2446 CARLSBAD, CA 92018-2446 TELEPHONE NO 760-730-0500 FAX NO 760-730-0120		FOR COURT USE ONLY F I L E D Clerk of the Superior Court FEB 06 2004 BY: JEANNE SHELTON	
ATTORNEY FOR (Name) STEVE HODGES SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101-3814 <input checked="" type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92083-6695 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020-3941 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910-5649		CRIMINAL CASE NUMBER SCN 123666	
PEOPLE OF THE STATE OF CALIFORNIA PLAINTIFF VS		DA	
STEVE HODGES DEFENDANT		ORDER DISMISSING ACCUSATION AGAINST PROBATIONER (PENAL CODE 1203.4 & 1203.4a)	

The above-named defendant having been convicted of the crime of PC 459 17(b)(3)

and granted probation for the term of THREE years; and it now appearing to the Court from information presented at a hearing on 2/6/04, that good cause exists to set aside the conviction entered herein, enter a plea of Not Guilty and dismiss the charges. It further appearing that the defendant is not now serving a sentence for any offense, is not now on probation for any offense, and is not now charged with the commission of any offense, therefore;

IT IS ORDERED that the verdict, plea of guilty, or plea of nolo contendere entered herein is set aside, a plea of Not Guilty entered, and the accusatory pleading is dismissed.

IT IS FURTHER ORDERED that the defendant is released from all penalties and disabilities resulting from the conviction of the above-named offense, EXCEPT:

(1) This order does not relieve the defendant of the obligation to disclose the aforementioned conviction in response to any direct question contained in any questionnaire or application for public office, for licensure by any state or local agency, or for contracting with the California State Lottery.

(2) This order does not permit the defendant to own, possess, or have custody or control of any firearm capable of being concealed upon the person, and it does not prevent conviction of the defendant under Penal Code 12021

Date: 2/6/04

[Signature]
 Judge of the Superior Court

CLERK'S CERTIFICATE

The foregoing is a full, true and correct copy of the original file in this office.

STEPHEN THUNBERG
 CLERK OF THE SUPERIOR COURT



Date: _____ by _____, De



San Marcos, California USA
92096-0001

(760) 750-4814
FAX (760) 750-3700

Office of Registration and Records

February 2, 2004

Steve Peter Hodges
Islander Street
Oceanside, CA 92054

F I L E D
Clerk of the Superior Court

FEB 06 2004

BY: JEANNE SHELTON

Dear Mr. Hodges:

Congratulations! I am pleased to inform you that you have completed all requirements for the Bachelor of Science degree in Business Admin. (Accounting). We have recorded this degree on your academic record and it will be shown on your official transcript. The degree award date is January 5, 2004.

You should expect to receive your diploma in the mail in April 2004. If your diploma mailing address has changed, you must file an official Change of Address form through the Enrollment Services Information Counter.

Again, congratulations and best of luck in future endeavors.

Sincerely,

MarthaAnn Thaeler Haney
Director
Registration and Records

FROM: SUPERIOR COURT CLERK

Mail Stop C-11/N-161/S-157/S-250

RE Records Clearance for PC 1203.41/1203.4a et. seq. application

APPLICANT FILL IN THE FOLLOWING:

Case Number: SCN 123666

Name: STEVE HODGES	Alias:
Address & Telephone No. (Current) [REDACTED] ISLANDER STREET OCEANSIDE, CA 92054 [REDACTED]	
Date of Birth: APRIL 21, 1981	Birthplace: WHITTIER, CALIFORNIA
Social Security Number: [REDACTED]	Drivers License: [REDACTED]

FOR INVESTIGATOR'S USE ONLY:

CHECKS COMPLETED:

INTAKE NOTATION ON BACK

- Probation File
- Local Records
- DOJ- CII
- FBI
- Wants/Warrants
- Other

1 **Richard L. Duquette**
2 Attorney At Law
3 P.O. Box 2446
4 Carlsbad, California 92018
5 State Bar No. 108342
6 (760) 730-0500

7 Attorney for Defendant
8 Steve P. Hodges

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **FOR THE COUNTY OF SAN DIEGO, NORTH COUNTY BRANCH**

11 PEOPLE OF THE STATE OF CALIFORNIA) CASE NO. SCN 123666
12 Plaintiffs,)
13 v.) DECLARATION OF
14 STEVE P. HODGES,) RICHARD L. DUQUETTE
15 Defendant.)
16 -----)

17 I, RICHARD DUQUETTE, if called to testify, would competently state
18 the following:

19 I am the attorney of record for defendant Steve P. Hodges.

- 20 1. Previously, the felony burglary charge was reduced to a misdemeanor
21 after motion and hearing before the Honorable Michael Kirkman.
22 2. After considering the evidence, Judge Kirkman indicated that he would
23 consider a dismissal per Penal Code 1203.4 prior to the end of probation, if
24 petitioner completed college.
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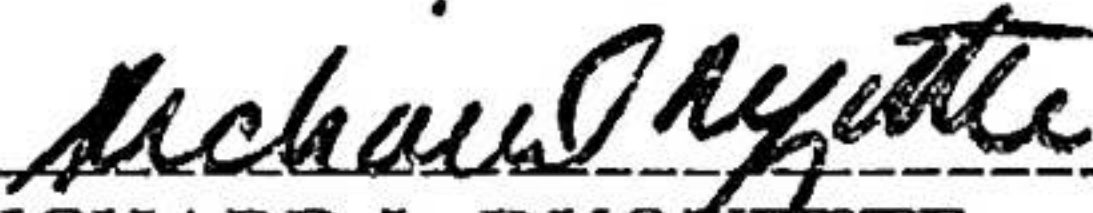
1 3. Petitioner has represented to me he has completed college at Cal State
2 San Marcos, and he finished his final exams this week (12/19/03). He will be
3 receiving a B.S. in accounting.

4
5 4. Petitioner requests a dismissal because he wants to obtain a job in a
6 CPA's office, as a prerequisite to taking the CPA exam. The CPA exam requires
7 200 hours of practical training. Petitioner desires to transition into a paying
8 career in pursuit of his education.

9 5. Petitioner's current good reform letter and grade transcripts are attached.

10 I declare under penalty of perjury under the laws of the state of California
11 that the foregoing is true and correct.

12 Executed this 19th day of December 2003, at Carlsbad, California.

13
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15 
16 RICHARD L. DUQUETTE
17 Attorney for Petitioner
18 Steve Hodges
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1 agreed to probation. The defendant was sentenced on April 11, 2001 to three years of probation with a
2 number of terms and conditions, including 120 days custody and \$4589.23 restitution.

3 Co-defendant Casie Hartinger was also charged. She pled guilty to Penal Code section 487(a)
4 and was sentenced to three years of probation. Her felony conviction was reduced to a misdemeanor on
5 November 1, 2002.

6 STATEMENT OF THE FACTS

7 The defendant was employed by Home Depot and worked as a cashier when an employee of the
8 City of Oceanside went through his line on October 30, 2000. The defendant took the credit card
9 number and on November 10, 2000 used it to buy \$1025.77 in gift cards. He used it again on November
10 13, 2000 to purchase \$1763.46 in gift cards.

11 The co-defendant was also employed by Home Depot. She had observed the defendant for three
12 months allow friends to come through his register without paying for items. She confronted him about it
13 one day. He told her the items were returned for a refund, and he offered her money if she would help
14 with the refund thefts. She agreed. She assisted in the purchase of 18 \$100 gift cards by allowing an
15 unknown friend of the defendant's purchase the gift cards with the stolen credit card number on
16 November 27, 2000. She then went with the defendant to Home Depots in San Marcos, Carmel
17 Mountain, and Mira Mesa to return the gift cards.

18 During an interview with Home Depot loss prevention agents, the defendant claimed to have no
19 idea why he was detained; he called his mother and told her to bring a lawyer. He pushed his way out
20 the door and left the store.

21 Total loss to Home Depot was \$4,589.23.

22 He never provided to Home Depot or law enforcement the names of his co-conspirators.

23 He provided no statement to probation, and did not express remorse.

24 ARGUMENT

25 The criminal operation the defendant undertook in committing these offenses was sophisticated.
26 The defendant was the ring leader of the offenses, and elicited the co-defendant to commit offenses with
27 him. The defendant took advantage of a position of trust in committing the offenses. The crimes
28 involved the taking of a significant amount of money, \$4,589.23. The defendant committed crimes over
29 a several month period of time; it was not one isolated mistake in judgment. Due to these factors the
interests of justice would best be served by the defendant remaining on probation at this time. The
defendant was sentenced to probation on April 11, 2001. He has not yet completed two years of

1 probation. The seriousness of the offense warrants a three year period of probation to ensure
2 rehabilitation and so that the defendant does not reoffend.

3 As it relates to the defense request for reduction, it does appear that the defendant has taken
4 efforts to repay the victim and to put his own life back on track. The co-defendant has already had her
5 conviction reduced. The defendant has paid his fines and restitution in full. In light of the fact that the
6 co-defendant has had her conviction reduced, and in recognizing the defendant's efforts to rehabilitate
7 himself, the People have no opposition to reduction of his felony conviction to a misdemeanor at this
8 time.

9 As it relates to the defendant's request for relief pursuant to Penal Code section 1203.4, it
10 appears that so far the defendant is eligible for the relief requested. The defendant is not eligible for
11 such relief, however, until the defendant is discharged early from probation or probation ends. Due to
12 the seriousness of the offense, the People request that the defendant remain on probation for his three
13 year period. If at that time the defendant still remains successful on probation and has no new offenses
14 then he would be entitled to relief pursuant to Penal Code section 1203.4.

15 Dated: February 26, 2003

16 Respectfully submitted,

17 BONNIE M. DUMANIS
18 DISTRICT ATTORNEY

19 By:

20 

21 Anita Spinetta
22 Deputy District Attorney

23 Attorneys for Plaintiff

CHARGE SUMMARY (cont'd)

Count	Charge	Issue Type	Sentence Range	Special Allegations	Allegation Effect
8	PC459 HARTINGER, CASIE E HODGES, STEVE PETER	Felony	16-2-3		
9	PC487(a) HARTINGER, CASIE E HODGES, STEVE PETER	Felony	16-2-3		
10	PC508 HARTINGER, CASIE E HODGES, STEVE PETER	Felony	16-2-3		

PC1054.3

INFORMAL REQUEST FOR DISCOVERY

The undersigned, certifying upon information and belief, complains that in the County of San Diego, State of California, the Defendant(s) did commit the following crime(s):

CHARGES

COUNT 1 - SELLS/TRANSFERS ACCESS CARD

On or about and between October 30, 2000 and November 30, 2000, STEVE PETER HODGES did unlawfully, with intent to defraud, sell, transfer and convey an access card without the cardholder's and issuer's consent, in violation of PENAL CODE SECTION 484e(a). (City of Oceanside VISA card)

COUNT 2 - GRAND THEFT - USING ACCESS CARD/ACCOUNT INFORMATION

On or about November 10, 2000, STEVE PETER HODGES did unlawfully, with intent to defraud, use, for the purpose of obtaining money, goods, services, and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of Sections 484e and 484f, and an access card with knowledge that it was forged, expired and revoked, and the value of all money, goods, services and other things of value so obtained exceeded four hundred dollars (\$400) in a consecutive six-month period, in violation of PENAL CODE SECTION 484g(a). (\$1025 gift cards)

CHARGES (cont'd)

COUNT 3 - GRAND THEFT - USING ACCESS CARD/ACCOUNT INFORMATION

On or about November 13, 2000, STEVE PETER HODGES did unlawfully, with intent to defraud, use, for the purpose of obtaining money, goods, services, and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of Sections 484e and 484f, and an access card with knowledge that it was forged, expired and revoked, and the value of all money, goods, services and other things of value so obtained exceeded four hundred dollars (\$400) in a consecutive six-month period, in violation of PENAL CODE SECTION 484g(a). ((\$1763 gift cards)

COUNT 4 - GRAND THEFT - USING ACCESS CARD/ACCOUNT INFORMATION

On or about November 27, 2000, CASIE E HARTINGER did unlawfully, with intent to defraud, use, for the purpose of obtaining money, goods, services, and anything else of value, an access card and access card account information that had been altered, obtained, and retained in violation of Sections 484e and 484f, and an access card with knowledge that it was forged, expired and revoked, and the value of all money, goods, services and other things of value so obtained exceeded four hundred dollars (\$400) in a consecutive six-month period, in violation of PENAL CODE SECTION 484g(a). (\$1800 gift cards)

COUNT 5 - BURGLARY

On or about November 29, 2000, CASIE E HARTINGER and STEVE PETER HODGES did unlawfully enter Home Depot, San Marcos with the intent to commit theft, in violation of PENAL CODE SECTION 459.

COUNT 6 - BURGLARY

On or about November 29, 2000, CASIE E HARTINGER and STEVE PETER HODGES did unlawfully enter Home Depot, Escondido with the intent to commit theft, in violation of PENAL CODE SECTION 459.

COUNT 7 - BURGLARY

On or about November 29, 2000, CASIE E HARTINGER and STEVE PETER HODGES did unlawfully enter Home Depot, Mira Mesa with the intent to commit theft, in violation of PENAL CODE SECTION 459.

COUNT 8 - BURGLARY

On or about November 29, 2000, CASIE E HARTINGER and STEVE PETER HODGES did unlawfully enter Home Depot, Mt. Carmel with the intent to commit theft, in violation of PENAL CODE SECTION 459.

CHARGES (cont'd)

COUNT 9 - GRAND THEFT OF PERSONAL PROPERTY

On or about and between November 1, 2000 and December 1, 2000, CASIE E HARTINGER and STEVE PETER HODGES did unlawfully take and steal money and personal property of Home Depot Stores, of a value in excess of Four Hundred Dollars (\$400), in violation of PENAL CODE SECTION 487(a).

COUNT 10 - FRAUDULENT APPROPRIATION BY CLERK, AGENT, OR EMPLOYEE

On or about and between November 1, 2000 and December 1, 2000, CASIE E HARTINGER and STEVE PETER HODGES, being then a clerk, agent and servant, did fraudulently appropriate to his own use, and did secrete with a fraudulent intent to appropriate to his own use, property and money in excess of four hundred dollars (\$400.00) of another which had come into his control and care by virtue of his employment as such clerk, agent, and servant in violation of PENAL CODE SECTION 508.

NOTICE: If any of the above-named defendant(s) are presently on probation in San Diego County, any evidence presented at a Preliminary Examination in the instant case will be used not only for a basis for a holding in this case but also as a circumstance for a violation of probation and, at any formal hearing at that violation of probation. The People will move the transcript of the Preliminary Examination into evidence as a basis for the violation and for sentencing purposes.

Pursuant to PENAL CODE SECTION 1054.5(b), the People are hereby informally requesting that defendant's counsel provide discovery to the People as required by PENAL CODE SECTION 1054.3.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT AND THAT THIS COMPLAINT, CASE NUMBER CN123666, CONSISTS OF 10 COUNTS.

Executed at Vista, County of San Diego, State of California, on January 18, 2001.

P. K. Jennings #2159
COMPLAINANT ✓

INFORMATION

PAUL J. PFINGST
District Attorney
County of San Diego
State of California
by:

Date

Deputy District Attorney